

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>SEP 14 2007</u>
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BROADCAST MUSIC, INC., et al,

Plaintiffs,

v.

229 RESTAURANT, INC.
d/b/a SHADOW NIGHTCLUB and
STEVEN JULIANO, individually,Defendants.
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CIV ACTION NO.: 07-CV-3507

STIPULATION + Order

The undersigned attorneys for the respective parties do hereby stipulate that the within action be dismissed, each party to pay their costs, subject to being reopened for the filing of a Consent Judgment in the event that Defendants do not comply with the terms and conditions of the settlement agreement between Plaintiffs and Defendants.

Dated: 9/14/07, 2007BROADCAST MUSIC, INC. for itself and
its co-PlaintiffsBy: [Signature]

Kerri Howland-Kruse (KHK2871)
 BMI
 320 West 57th Street
 New York, NY 10019
 (212) 830-2571
 Attorney for Plaintiffs

Dated: SEPTEMBER 14, 2007229 RESTAURANT, INC.
d/b/a SHADOW NIGHTCLUB and
STEVEN JULIANOBy: [Signature]

Charles Linn, Esq. (CL5301)
 901 North Broadway, Suite 22
 North White Plains, NY 10603
 914 949 4200

SO ORDERED: SEP 14 2007

[Signature]
 HON. PAUL A. CROTTY
 UNITED STATES DISTRICT JUDGE

Attorney for Defendants